

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

v.

JASON GALANIS,
GARY HIRST,
JOHN GALANIS, a/k/a “Yanni,”
HUGH DUNKERLEY,
MICHELLE MORTON,
DEVON ARCHER, and
BEVAN COONEY,

Defendants.

No. 16 Cr. 371 (RA)

NOTICE OF MOTION

PLEASE TAKE NOTICE THAT, upon the accompanying Memorandum of Law, as well as the Declaration of Matthew L. Schwartz, the exhibits thereto, and the pleadings and other filings in this case, defendant Devon Archer respectfully moves this Court before the Honorable Ronnie Abrams, United States District Judge, Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York 10007, for an order suppressing any evidence derived, directly or indirectly, from two December 28, 2016 Stored Communications Act warrants and orders directed to Google and Apptix related to accounts associated with the e-mail addresses darcher@rosemontseneca.com, darcher@rosemontcapital.com, smomtazi@rosemontseneca.com, and smomtazi@rosemontcapital.com or, in the alternative, an evidentiary hearing, and for other related relief.

PLEASE TAKE FURTHER NOTICE THAT, pursuant to the deadlines set by the Court by order dated October 27, 2017 [ECF No. 264], the government’s opposition papers are due on February 5, 2018, and reply papers are due on February 12, 2018.

Dated: January 16, 2018

New York, New York

Respectfully submitted,

/s/ Matthew L. Schwartz
Matthew L. Schwartz
BOIES SCHILLER FLEXNER LLP
575 Lexington Avenue, 7th Floor
New York, New York 10022
Tel.: (212) 446-2300
Fax: (212) 446-2350
mlschwartz@bsfllp.com

Attorneys for Devon Archer